

MINUTES STAFFORD COUNTY CABLE TELEVISION ADVISORY COMMITTEE May 24, 2007

I. Call to Order.

The meeting was called to order by Chairwoman Jackie Hontz at 7:10 p.m. in the Administrator's Conference Room in the Administration Center, 1300 Courthouse Road.

II. Roll Call.

The following members were present: Jackie Hontz, Alicia Knight, Terry Lottes and Danielle Davis – John Johnson arrived at approximately 8:10 p.m. Also present were Matthews Drewery with Cox Communications, Marie Schuler with Comcast Communications, and Cathy Riddle and Michele Lansford representing the County.

III. Presentations by the Public.

Terry Menteer (107 Ivywood Drive), James Sthreshley (106 Scarsdale Drive), and Theresa and Richard Hoe (105 Ivywood Drive), residents in the Heritage Oaks Subdivision, attended the meeting to follow up on a complaint filed at the April 2007 meeting. They contend that Comcast subcontractors installed underground cable outside the proper utility easement in their neighborhood. They said that there is no record of an easement where the work was completed.

Ms. Schuler told them that the lines were originally buried (by a previous company) adjacent to power lines in the 1980s. She said there was an "assumption" of an easement at that location. She reported that Comcast will contact every resident in the neighborhood to determine if 100% of the homeowners will sign a legal document allowing the cable to remain where it is. The company is also re-designing the plant to locate the fiber in the easement in front of the homes in the event is what residents want.

Mr. Menteer commented that he wants the lines to be moved. He said he feels it's wrong for Comcast to charge customers a "right-of-way fee" when the lines aren't even located in a true right-of-way. Ms. Schuler explained that this fee is the result of legislation passed in Virginia that took effect in January 2007 in an effort to equalize communications taxes at a flat rate of 5%.

Mr. Menteer asked Ms. Schuler when the lines will be relocated. She said a crew would be scheduled to begin work soon, and that she would call Mr. Menteer by noon on May 25, 2007 with the exact date. Mr. Menteer said that the previous crew "trespassed" onto his property and that he wants the next crew to only work when he is at home.

Mrs. Hoe said a backhoe had torn up her yard and damaged a pedestal during the work. Mrs. Schuler assured her that all work has been halted, and that the pedestal will be moved to the front of the property if even one homeowner objects to the cable being located in the back of the

residences. Mr. Hoe said that if the lines remain on private property he wants legal assurance that Comcast will not have a claim to his property.

Every homeowner in attendance at the May 2007 meeting requested notification before crews access their property to undertake any work. Mrs. Schuler said she would do that. She also said Comcast will try to get a private easement behind the homes, and will keep residents updated.

Mrs. Knight asked Mrs. Schuler to determine if Comcast will compensate residents in Heritage Oaks for the inconvenience the company has caused – Mrs. Schuler said she would find out if anything could be done.

Mr. William Robinson, 1205 Paul Lane, Fredericksburg 22406, told the committee that there are lines dangling from poles behind his home, and even draped on the ground. He said the problem occurred when a damaged pole was recently replaced – the pole is located behind the residence at 166 Sandford Drive. He has determined that the wires belong to a cable company (he contacted every other utility including Dominion Virginia Power and Verizon). County staff reported that both Cox and Comcast crews visited the site, but that neither company believes the lines belong to them.

Ms. Schuler and Mr. Drewery said they will meet and determine how to resolve the problem. They assured the committee that the lines would be repaired, and that they will let the members know when that occurs.

#### IV. Agenda Additions.

There were no additions to the agenda.

#### V. New Business.

Ms. Knight reported that she and Mr. Kimbrell will meet soon to begin drafting the new charter for the committee as it transitions into a telecommunications commission. They will make a report to the committee at the June 2007 meeting.

#### VI. Approval of Minutes.

Ms. Davis made a correction to page 2 of the April 2007 minutes. The last paragraph should begin: “Ms. Davis asked Ms. Schuler if she had talked to Mr. Lemus...” Ms. Davis moved, seconded by Mr. Lottes, to approve the minutes of the April 2007 meeting. The motion passed unanimously.

#### VII. Members’ Concerns.

Ms. Davis thanked Ms. Riddle for publishing, both on the County’s Web site and the cable channels, contact information for committee members.

Ms. Davis asked Ms. Schuler when or if cable will be offered to residents in Meadowbrook Estates – Ms. Schuler said she would find out and let her know.

Ms. Knight told Ms. Schuler that Mary Ann Thornburg in the Aquia District is experiencing tiling/freezing during DVR playback. Ms. Schuler said she will call Ms. Thornburg.

Ms. Hontz reviewed various concerns voiced by Cox customer Kenneth Pitts, 108 East Wildwood Lane: the TV guide channel has been moved, leaving a blank screen on that channel; when MASN2 was added to the lineup, the Discovery Health Channel was removed; and the “local-on-the-eights” weather broadcasts do not report local weather. Mr. Drewery said the changes were made to maximize bandwidth, and that he has spoken to Mr. Pitts about moving his service from analog to digital so he could access the information critical to him. He said he would call Mr. Pitts again to discuss his concerns.

Ms. Knight asked Ms. Schuler why C-Span II is now at MASN II on the analog lineup. She said that one of her constituents could not always access a certain program on Sunday morning. Ms. Schuler replied that when the Nationals and Orioles baseball teams play, that programming takes precedence over other shows.

Ms. Knight asked Ms. Riddle to explain a quote attributed to her in the “Free Lance-Star” in which she the public had not expressed an interest in public access television. Ms. Riddle told the committee that she told the reporter the County had not been approached directly by any public groups, but that the Cable Committee members have been approached on this subject by citizens. Ms. Riddle said she was misquoted, and that a correction appeared in the paper the next day.

Ms. Riddle told Mr. Drewery that Supervisor George Schwartz tried to watch the most recent scheduled broadcast of the Board of Zoning Appeals but that the screen was blank. Mr. Drewery said he would check with his technical personnel to determine if what the problem was.

#### VIII. Adjournment.

At 8:20 p.m., Mr. Johnson moved to adjourn the meeting; Ms. Davis seconded; the motion passed unanimously.